

REMARKS:

The Office action mailed April 1, 2004 has been received and carefully considered. Reconsideration of the application in view of the following is respectfully requested.

The Abstract of the Disclosure was objected to because of the inadvertent use of the word "said." The Abstract has been amended to remove said.

The Abstract was also objected to because of the use of the term "fine height adjustment" which the Examiner has indicated is redundant because it is already disclosed as a hook and capture device. This interpretation is in error. The fine height adjustment mechanism is not the same as the hook and capture device and is clearly shown and described in the application. In particular, the fine height adjustment mechanism is illustrated, for example, in Fig. 9 as the connector 83. On the other hand, the hook and capture device is shown, for example, in Fig. 8 and includes the hook member 87 and rod or bail 102.

The drawings were objected to for failure to show claimed features. The claimed features are shown in the drawings and, consequently, no change has been made. In particular, the following points are noted.

The spacing arm called for in Claim 9 is the arm 98, as described on page 17 and shown in the drawings, such as Fig. 8.

The fine height adjustment mechanism is described with respect to the connector 83, as noted before, and is illustrated in the drawings, such as Fig. 9.

The gross height adjustment mechanism is seen in many of the views, especially Fig. 8 and is provided by the adjustment structure 7 which incorporates multiple features including cutting height adjustment as noted on line 21 of page 13.

Claim 28 was objected to as indefinite. It is believed that the problem stems from a typographical error in which the word "bail" was inserted for "hook". The Claim 28 has been amended to correct this and is now urged to be definite.

Claims 9 and 10 were also objected to as indefinite. It is foreseen that the hook and loop (bail) members could be interchanged in accordance with the invention. In Claim 9 these elements are claimed broadly in that a first of the members is associated with the frame part of the structure and a second is associated with the deck. In Claim 10, the claim language is made more specific to claim the loop (bail) to be associated with the frame structure and the hook with the deck structure. This is believed to be definite for purposes of patentability and, hence, no changes have been made.

Claims 1 to 16 and 20 to 28 were rejected as anticipated by Kure. This rejection is not understood and is urged to be

incorrect in view of the following.

In particular, Claim 1 calls for a bifurcated reward arm. This arm is identified as rear support arm 76 in the specification and has an upper portion 89 and a lower portion 90 that are joined at a pivot 91. Attention is especially directed to Figures 4 and 7. In Fig. 7, the upper portion 89 is tucked against and constrained from moving by the frame so that the front and rear support arms 75 and 76 along with the frame and deck form a parallelogram configuration which is the subject of Claim 2. In Fig. 7, the deck is extended forward at the rear so as to move the rear arm upper portion 89 away from the frame to the access configuration and the arm 76 is extended so that the upper portion 89 and lower portion 90 become generally collinear in the fully extended position.

In the Kure patent, there is a rear link (arm) 4 that connects the frame to the deck. However, this link is not bifurcated and certainly does not have an upper portion that is constrained against the frame to prevent movement in a mowing configuration and which swings away from the frame (a typographical error was noticed and corrected here) in an access configuration.

Therefore, it is urged that Kure fails to anticipate or in any way teach or suggest the claimed invention.

Furthermore, with respect to Claim 2, the present invention provides the bifurcated rear arm discussed above but also cleverly folds that arm in the mowing configuration to form the noted parallelogram construction. A parallelogram is a structure that has pairs of opposite sides that are always parallel to each other. The Kure device does not provide a parallelogram type support structure. In particular, it has a rear link 4 and a front link 3. The front line is connected to the front of the deck to drag the deck whereas the rear link is connected to the top of the deck which fails to provide the called for parallelogram structure.

Claim 9 was indicated to also be anticipated by Kure. In Claim 9, the pickup structure of the hook and loop device is cooperatively utilized with the height adjustment mechanism at the rear of the deck. The Kure patent shows a connecting structure at the front of the deck and an adjustment structure at the rear but does not teach how to combine to two structures at the rear of the deck. There are significant advantages to the pickup structure being at the rear so it can disengage and allow the rear of the deck to rotate downward and forward to the access configuration. The Kure reference fails to teach this concept or suggest its advantages.

Claim 20 was rejected as anticipated by Kure. The fine adjustment mechanism, as claimed and as shown especially in Fig. 9, is not seen in Kure and is especially not seen at the juncture of the front and rear links with the deck of Kure, as noted in the Office action. Consequently, it is urged that Claim 20 is allowable.

Claim 28 was also rejected as anticipated by Kure. Claim 28 has been amended to more particular point out that the height adjustment mechanism and the capture hook and bail mechanism are at the rear of the deck. As noted before, is not taught or suggested by Kure and it is not obvious how to do so in view of Kure. Consequently, it is urged that Claim 28 is allowable over Kure.

In summary, it is urged that independent Claims 1, 9, 20 and 28, along with the claims that depend from them, are allowable over the art of record and notice to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned by telephone, if prosecution of this application can be expedited thereby.

Respectfully Submitted,



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(Applicant)

By



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(Date of Signature)